

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

RONALD HARDING,)	
)	
Plaintiff)	
)	
v.)	CIVIL NO. 2:15-cv-00396-NT
)	
MATTHEW LINDAHL and)	
BRUCE BOUCHER,)	
)	
Defendants)	

STIPULATION OF DISMISSAL

NOW COME Plaintiff Ronald Harding and Defendants Matthew Lindahl and Bruce Boucher, by and through counsel, and, pursuant to F.R.Civ.P. 41(a)(1)(A)(ii), jointly stipulate to the dismissal of the following claims and party without prejudice and without costs to any party:

1. Any and all claims for a violation of Plaintiff's Constitutional right to equal protection, including without limitation those equal protection claims articulated in Count III of Plaintiff's Complaint and in paragraphs 34 and 35 of Count I;
2. Any and all claims of a failure to properly train and supervise Officer Lindahl by Bruce Boucher or any other party, including without limitation those claims articulated in Counts III and VII of Plaintiff's Complaint;
3. Any and all claims arising under the Eighth Amendment, including without limitation the claim explicitly articulated in paragraphs 34 and 35 of the Complaint; and
4. Any and all claims against Defendant Bruce Boucher.

After dismissal of the claims and party as described above, the surviving claims by Plaintiff Ronald Harding against Defendant Matthew Lindahl will be as follows:

1. Count I and Count IV, insofar as they allege that Officer Lindahl's conduct violated Plaintiff's federal and state Constitutional rights to be free from

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excessive force, false arrest, and cruel and unusual punishment, and his federal and state statutory rights to be free from assault and battery;

2. Count II, insofar as it alleges that Officer Lindahl's conduct violated Plaintiff's Constitutional right to substantive due process;
3. Count V, which alleges that Officer Lindahl's conduct toward Plaintiff constituted intentional infliction of emotional distress; and
4. Count VI, which alleges that Officer Lindahl's conduct toward Plaintiff constituted negligent infliction of emotional distress.

Counsel for the parties have conferred and agreed on this Stipulation of Dismissal.

The parties request that the court enter an Order stipulating the dismissal of fewer than all parties and issues as described herein.

DATED at Portland, Maine this 11th day of August, 2016.

/s/ John S. Whitman

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/s/ Carol I. Eisenberg

Carol I. Eisenberg

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CERTIFICATE OF SERVICE

This is to certify that on the above date, the Stipulation of Dismissal was electronically filed with the Court using the CM/ECF system, which will send notification of such filing to:

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